

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GILBERTO DIAZ,

Petitioner,

-against-

SUPERINTENDENT OF GREEN HAVEN
FACILITY,

Respondent.

20-CV-9174 (CM)

CIVIL JUDGMENT

Pursuant to the order issued February 4, 2021, dismissing the petition,

IT IS ORDERED, ADJUDGED AND DECREED that the petition is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915. Because the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue under 28 U.S.C. § 2253.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Petitioner and note service on the docket.

SO ORDERED.

Dated: February 4, 2021
New York, New York



COLLEEN McMAHON
Chief United States District Judge